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NOTICE OF ALLOWANCE AND FEE(S) DUE

23911 7590 09/15/2008

CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON, DC 20044-4300

EXAMINER

CHAN, SING P

ART UNIT

PAPER NUMBER

1791

DATE MAILED: 09/15/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/520,164

09/08/2005

Uwe Habisreiter

095309.55807US

5626

TITLE OF INVENTION: METHOD AND APPARATUS FOR AUTOMATED APPLICATION OF LACQUERED FILMS TO BODY PARTS, AND
AUTOMATION-COMPATIBLE LACQUERED FILM COMPOSITE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	12/15/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
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or Fax **(571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

23911 7590 09/15/2008
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TITLE OF INVENTION: METHOD AND APPARATUS FOR AUTOMATED APPLICATION OF LACQUERED FILMS TO BODY PARTS, AND AUTOMATION-COMPATIBLE LACQUERED FILM COMPOSITE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	12/15/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHAN, SING P	1791	I56-230000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
 Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 562 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 562 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/520,164

Examiner

SING P. CHAN

Applicant(s)

HABISREITINGER ET AL.

Art Unit

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to response to a restriction filed on June 17, 2008.
2. ☒ The allowed claim(s) is/are 38-51, 75 and 76.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 1/4/05 & 5/3/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election of group I, claims 38-51, 75, and 76 in the reply filed on June 17, 2008 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gary R. Edwards on August 1, 2008. The examiner contacted Mr. Edwards to correct a typo in claim 75 and to get permission to cancel the non-elected claims.

The application has been amended as follows: claims 52-74 and 77 are cancel.

In claim 75, "2D" has been changed to "20" for 20 N/cm.

Allowable Subject Matter

3. Claims 38-51, 75, and 76 are allowed.
4. The following is an examiner's statement of reasons for allowance: The claims recite a method of automated application of a paint film blank. The method includes gripping a film blank on the non-adhesive outer face at two opposite ends by means of

suction grippers to which a vacuum can be applied, and is held stretched out, in which the film blank which is held stretched out is aligned accurately in position above the bodywork part to be bonded to and is adhesively bonded to it, comprising the steps: providing prefabricated, elongated paint film blanks in a configuration according to features a to c) for application of paint film, and in that the paint film blanks which have been provided in this way are moved according to features d) to g) for automated application: a) including each prefabricated, elongated paint film blank in a film composite and provided on the outside and underneath with an adherent but easily detachable protective strip, with each of the two protective strips projecting (projections) beyond a useful length (L) of the paint film blank at two ends, which are located in the area of the narrow faces of the paint film blank, b) approximately matching the length, measured in the longitudinal direction of the film blank, of an end projection to an attachment width (b2) of the associated suction gripper measured in the longitudinal direction of the paint film blank while, in contrast, the length of a start- side projection is likewise matched approximately to the attachment width (b1) of the associated suction gripper but with at least the lower protective strip on the start-side projection being lengthened by a specific gripping length beyond said attachment width (b1), c) providing the film composite which includes the paint film blank is offered in a defined position with the outer protective strip being freely accessible in the working area of a freely programmable industrial robot, which is provided with an application tool, for picking up by the application tool, d) pushing up the film composite by two of said suction grippers, which are provided on the application tool and whose sucking picking-up surfaces are

located on a standard picking-up plane, on the upper protective strip in the area of the end and start-side projections, with the two suction grippers then being pivoted from the picking-up plane through a respective specific angle (α , α'), in such a way that the projections which have been picked up off the film composite that is held stretched out, project obliquely and approximately in mirror-image form with respect to one another from a picking-up plane in the direction of a rear face of the application tool, e) pulling off the lower protective strip, starting from a start-side end of the paint film blank and guided by a start-side projection, which is used as a pulling-off lug and is gripped by a gripping tool, which can move within the application tool thus exposing the adhesive face of the paint film blank, f) once the film composite, which is held stretched out by the application tool has been aligned in the correct orientation at a short distance from the bodywork part, which is to be bonded to and is held firmly in the defined orientation and inflexibly, wiping the paint film blank onto the bodywork part to be bonded to, from the stretched-out separated position, by means of a flexible wiper which can move longitudinally within the application tool, g) pulling off the upper protective strip from the outer face of the applied paint film blank by means of a pulling-off movement of the end suction gripper. Habisreitering (WO 99/44891) discloses a method of applying an adhesive film. The method includes providing a robot with suction strips to grip a protective film and applying the film onto a vehicle body. (See English equivalent U.S. 6,699,346, Col 5, lines 25-50). Habisreitering is silent as to providing prefabricated, elongated paint film blanks in a configuration according to features a to c) for application of paint film, and in that the paint film blanks which have been provided in this way are

moved according to features d) to g) for automated application: a) including each prefabricated, elongated paint film blank in a film composite and provided on the outside and underneath with an adherent but easily detachable protective strip, with each of the two protective strips projecting (projections) beyond a useful length (L) of the paint film blank at two ends, which are located in the area of the narrow faces of the paint film blank, b) approximately matching the length, measured in the longitudinal direction of the film blank, of an end projection to an attachment width (b2) of the associated suction gripper measured in the longitudinal direction of the paint film blank while, in contrast, the length of a start-side projection is likewise matched approximately to the attachment width (b1) of the associated suction gripper but with at least the lower protective strip on the start-side projection being lengthened by a specific gripping length beyond said attachment width (b1), c) providing the film composite which includes the paint film blank is offered in a defined position with the outer protective strip being freely accessible in the working area of a freely programmable industrial robot, which is provided with an application tool, for picking up by the application tool, d) pushing up the film composite by two of said suction grippers, which are provided on the application tool and whose sucking picking-up surfaces are located on a standard picking-up plane, on the upper protective strip in the area of the end and start-side projections, with the two suction grippers then being pivoted from the picking-up plane through a respective specific angle (a, a'), in such a way that the projections which have been picked up off the film composite that is held stretched out, project obliquely and approximately in mirror-image form with respect to one another from a picking-up plane

in the direction of a rear face of the application tool, e) pulling off the lower protective strip, starting from a start-side end of the paint film blank and guided by a start-side projection, which is used as a pulling-off lug and is gripped by a gripping tool, which can move within the application tool thus exposing the adhesive face of the paint film blank, f) once the film composite, which is held stretched out by the application tool has been aligned in the correct orientation at a short distance from the bodywork part, which is to be bonded to and is held firmly in the defined orientation and inflexibly, wiping the paint film blank onto the bodywork part to be bonded to, from the stretched-out separated position, by means of a flexible wiper which can move longitudinally within the application tool, g) pulling off the upper protective strip from the outer face of the applied paint film blank by means of a pulling-off movement of the end suction gripper. A search of the prior art of record did not disclose reference or references in combination with the recited features.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SING P. CHAN whose telephone number is (571)272-1225. The examiner can normally be reached on Monday-Thursday 7:30AM-11:00AM and 12:00PM-4:00PM.

Art Unit: 1791

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Philip C. Tucker can be reached on 571-272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sing P Chan/
Acting Examiner of Art Unit 1791

/Mark A Osele/
Primary Examiner, Art Unit 1791